

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

XIN WANG,

Plaintiff,

-v-

ESSENCE INTERNATIONAL FINANCIAL  
HOLDINGS LIMITED,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: <u>12/9/2024</u>

**ORDER**

24-CV-8204 (VEC) (HJR)

**HENRY J. RICARDO, United States Magistrate Judge.**

By Letter dated November 22, 2024, Plaintiff Xin Wang requested that the Court serve the Summons and Complaint. ECF No. 13. The Court construes this letter as a Motion for an Order of Service. Plaintiff's Motion for an Order of Service is DENIED.

Plaintiffs who have been granted permission to proceed *in forma pauperis* (“IFP”) are entitled to rely on the Court and the U.S. Marshals Service to effect service. *Walker v. Schult*, 717 F.3d. 119, 123 n.6 (2d Cir. 2013); *see also* 28 U.S.C. § 1915(d) (“The officers of the court shall issue and serve all process . . . in [IFP] cases.”); Fed. R. Civ. P. 4(c)(3) (the court must order the Marshals Service to serve if the plaintiff is authorized to proceed IFP)). Plaintiff is not proceeding IFP in this case and is therefore not entitled to rely on the Court and the U.S. Marshals Service to effect service.

For plaintiffs not proceeding IFP, upon plaintiff's request the court has discretion to order that service be made by the U.S. Marshals Service or other

appointed person. Fed. R. Civ. P. 4(c)(3). The Court declines to order service in this case.

By Letter dated November 20, 2024, Plaintiff informed the Court that he was in the process of effectuating service. ECF No. 8. The Court *sua sponte* extends Plaintiff's time to effect service to 90 days from the date of this order. If the summons and complaint are not served within 90 days after the date of this order, Plaintiff may request an extension of time for service. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012) (holding that it is the plaintiff's responsibility to request an extension of time for service).

Plaintiff is advised that there is a Pro Se Law Clinic available to assist self-represented parties in civil cases. The Clinic may be able to provide a pro se party with advice in connection with their case. The Pro Se Law Clinic is run by a private organization called the City Bar Justice Center; it is not part of, or run by, the Court (and, among other things, therefore cannot accept filings on behalf of the Court, which must still be made by any self-represented party through the Pro Se Intake Unit). Litigants in need of legal assistance should complete the City Bar Justice Center's intake form available at

<https://www.citybarjusticecenter.org/projects/federal-pro-se-legal-assistance-project/> to make an appointment. If a litigant has questions about the intake form or needs to highlight an urgent deadline already disclosed in the form, the clinic can be contacted by phone (212-382-4794) or email ([fedprosny@nycbar.org](mailto:fedprosny@nycbar.org)). In-person appointments in the Thurgood Marshall Courthouse in Manhattan are available

Monday through Thursday, 10:00 a.m. to 4:00 p.m. Appointments are also available remotely Monday through Friday, 10:00 a.m. to 4:00 p.m.

**SO ORDERED.**

Dated: December 9, 2024  
New York, New York



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Henry J. Ricardo  
United States Magistrate Judge